

FORM PTO-1390  
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

BOH6278P0160US

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (IF KNOWN)

10/531366

INTERNATIONAL APPLICATION NO.  
PCT/EP03/011427INTERNATIONAL FILING DATE  
15 October 2003PRIORITY DATE CLAIMED  
15 October 2002; 19 May 2003; 27 May 2003

TITLE OF APPLICATION: Novel Adenoviruses, Nucleic Acids Coding Therefor, and Use Thereof

APPLICANT(S) FOR DO/EO/US: Per Sonne Holm

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected. (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - ☒ is attached hereto
  - ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated to the International Bureau
  - c. ☐ have not been made; however, the time for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. (154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items of information. **Paper copy of the Sequence Listing; Statement of Armin K. Bohmann under 37 C.F.R Sections 1.821(e), 1.821(f), 1.825(a), 1.825(b); and Express Mail Certificate.**

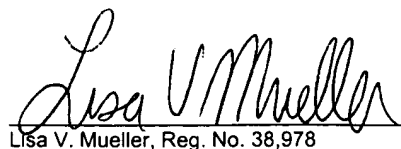
U.S. APPLICATION NO. <b>10/531366</b>		INTERNATIONAL APPLICATION NO. <b>PCT/EP03/011427</b>		ATTORNEY DOCKET NUMBER <b>BOH6278P0160US</b>	
21. The following fees are submitted				Applicant Use	Office Use Only
<input checked="" type="checkbox"/> a)..... Basic national fee				\$300.00	
<input checked="" type="checkbox"/> b)..... Examination fee				\$200.00	
<input checked="" type="checkbox"/> c)..... Search fee				\$500.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$1,000.00</b>	
<input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is <b>\$250.00</b> for each additional 50 sheets of paper or fraction thereof					
Total Sheets	Extra Sheets	Number of Additional 50 or fraction thereof (round up to a whole number)	Rate		
119- 100 =	19/50	1	x <b>\$250.00</b>	<b>\$250.00</b>	
Surcharge of <b>\$130.00</b> for furnishing oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total Claims	111 -20 =	91	x <b>\$50.00</b>	<b>\$4,550.00</b>	
Independent claims	13 - 3 =	10	x <b>\$200.00</b>	<b>\$2,000.00</b>	
Multiple Dependent Claim(s) (if applicable)			+ <b>\$360.00</b>	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$7,800.00</b>	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				<b>\$3,900.00</b>	
<b>SUBTOTAL =</b>				\$	
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE</b>				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property +				\$	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$3,900.00</b>	
Amount to be refunded:					\$
Amount to be charged:					\$

- a. ☒ A check in the amount of **\$3,900.00** to cover the above fees is enclosed.
- b. ☐ Please charge Deposit Account No. 23-0785 in the amount of \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 23-0785. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

Send Correspondence to:

**CUSTOMER NUMBER: 32116**

WOOD, PHILLIPS, KATZ, CLARK & MORTIMER  
Citicorp Center, Suite 3800  
500 West Madison Street  
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Lisa V. Mueller, Reg. No. 38,978

Dated: April 14, 2005

## Certificate of Express Mail Under 37 CFR 1.8

I hereby certify that the following documents are being deposited with  
the United States Postal Services as Express Mail with sufficient postage  
in an envelope addressed to:

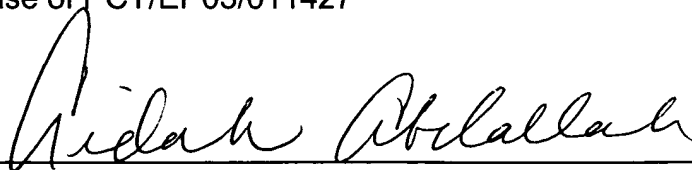
**Box PCT**  
**Commissioner for Patents**  
**PO Box 1450**  
**Alexandria, VA 22313-1450**

- 1) Transmittal Letter to The United States Designated/Elected Office (DO/EO/US) concerning a Filing under 35 U.S.C. 371 for PCT/EP2003/011551 (2 pages);
- 2) Specification entitled "New Adenoviruses, Nucleic Acid Coding Therefor and Their Use" (81 pages); claims (11 pages); and Abstract (1 pages) - total (93 pages);
- 3) Drawings (26 pages and Figures 1-25);
- 4) Sequence Listing in a paper format (5 pages);
- 5) A copy of the Sequence Listing in computer-readable form;
- 6) Executed Declaration and Power of Attorney for Utility or Design Patent Application (2 pages);
- 7) Preliminary Amendment (19 pages);
- 8) A copy of WO 2004/035616 A2 in German (96 pages); Claims (12 pages) - total (108 pages); drawings (26 pages and Figures 1-25);
- 9) Executed Statement Under 37 C.F.R Sections 1.821(e), 1.821(f), 1.825(a), 1.825(b) by Armin Bohmann (1 page);
- 10) Certificate of Express Mail Under 37 CFR 1.8 (1 page);
- 11) A check in the amount \$3,900.00; and
- 12) A return self-addressed postcard.

on April 14, 2005

Express Mail No.: EV 531209265 US

For: National Phase of PCT/EP03/011427



Signature

Aidah Abdallah

Typed or printed name of person of signing Certificate